



# FLORIDA FOUNDATION SEED PRODUCERS, INC.

CHARTERED BY THE STATE OF FLORIDA AS A NON-PROFIT CORPORATION TO INCREASE AND DISTRIBUTE  
FLORIDA EXPERIMENT STATION BREEDER SEED

GREENWOOD, FLORIDA 32443  
TELEPHONE: 850-594-4721

3913 Hwy 71  
FAX: 850-594-1068  
seed@digitalexp.com

May 29, 2003

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE:    Application No.                    09/923,306  
       Filing Date                     08/07/2001  
       First Named Inventor         Wayne B. Sherman  
       Confirmation No.               9984  
       Art Unit                         1661

Enclosed you will find the new pictures requested of 'Sunbest'. I am also enclosing a copy of our last correspondence and Certificate of Mailing.

Sincerely,

Thomas D. Stadslev  
Manager

TDS/kj

Enclosures

NOTICE TO BUYER - Limitation on Warranty and Remedies: Florida Foundation Seed Producers, Inc. Warrants that all seed sold conform to the label description attached to the container with-in recognized tolerances under state and federal seed laws. There are no other warranties or representations as to these seeds, and the foregoing express warranty excludes all other warranties, express or implied, including without limitation, any implies warranty of merchantability of fitness for a particular purpose. Further, without limitation, Florida Foundation Seed Producers, Inc. makes no warranty, express or implied, as to crop yields of this seed or as to the response of this seed to any environmental condition, disease, insect infestation, chemical application, farming practices or other growing condition. The exclusive remedy for loss or damages due to breach of the express warranty set forth above or other cause is limited to the refund of the purchase price of the seed, and Florida Foundation Seed Producers, Inc., shall not be liable for any consequential damages resulting from any such breach. The buyer, by acceptance of this seed, agrees to the terms and conditions of this statement of limitation of warranty and remedies. Seed not accepted on these terms and conditions may be returned to Florida Foundation Seed Producers, Inc. in unopened containers within ten (10) days.



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

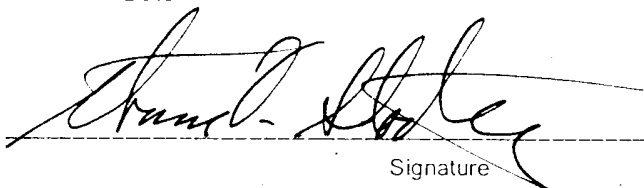
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Washington, D.C. 20231

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UNIVERSITY OF  
FLORIDA



Institute of Food and Agricultural Sciences  
Horticultural Sciences Department

February 27, 2003

1143 Fifield Hall  
PO Box 110690  
Gainesville, FL 32611-0690  
(352) 392-1928  
Fax: (352) 392-6479

Wendy C. Hass, examiner  
United States Patent and Trademark Office  
Washington, D.C. 20231

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Dear Ms. Hass:

This correspondence refers to plant patent application no. 09/923,306 of art unit 1661, confirmation no. 9984. The sunbest nectarine was released on July 17 2001 (see attached memo from Dean of Research, Dr. Jones, and the patent was filed on 8/7/01. Budwood was released for commercialization in May 2002. Attempts are made to update flower and kernel characteristics in the botanical description as suggested. The photographs will be remade in mid-May, 2003, showing the pit in a cut fruit. They will be sent by June 1 as we discussed on the phone on February 26. Enclosed is a marked copy and a corrected copy for you use. Please substitute the revised copy for the original one submitted. Should you have additional suggestions for correction or clarification, please get back to me.

Sincerely,

*Wayne B. Sherman*  
Wayne B. Sherman